

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,

Plaintiff,

v.

HUBERT THEODORE ISABEL,

Defendant.

CASE NO. CR06-377C

ORDER

This matter comes before the Court on the Defendant's motion to continue the trial date (Dkt. No. 71). The current trial date is July 9, 2007. Defendant requests this continuance, and the Government agrees that a continuance is necessary. Accordingly, Defendant has waived speedy trial rights through September 30, 2007 (Dkt. No. 71).

Given the specific circumstances of this case, the Court finds that a denial of the requested extensions would unreasonably deny Defendant adequate preparation by his attorneys and would deny counsel reasonable time to prepare. Due to these factors, exclusion of additional time under 18 U.S.C. § 3161(h)(8)(B)(iv) is appropriate.

The proposed continuance of the trial does not appear to prejudice any party. The Court finds that failure to grant the requested continuance likely would result in a miscarriage of justice. The Court

1 further finds that the interests of the public and the Defendant in a speedy trial are outweighed by the
2 ends of justices, within the meaning of 18 U.S.C. § 3161(h)(8)(A).

3 Accordingly, IT IS HEREBY ORDERED that the pre-trial motions shall be due on August 16,
4 2007, with a new trial date of September 24, 2007. Voir dire, Trial Briefs, and Jury Instructions shall be
5 due by September 20, 2007. The time between July 9, 2007 and the new trial date shall be excludable
6 time under the Speedy Trial Act pursuant to 18 U.S.C. §§ 3161(h)(8)(A) and 3161(h)(8)(B)(iv).

7 SO ORDERED this 28th day of June, 2007.

8
9
10 
11 John C. Coughenour
12 United States District Judge
13
14
15
16
17
18
19
20
21
22
23
24
25